

W-03514A-10-0116
W-03514A-10-0117



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ORIGINAL

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Arizona Corporation Commission

Investigator: Carmen Madrid

Phone: ()

DOCKETED

Priority: Respond Within Five Days

MAY 19 2010

Opinion **No. 2010** **86993**

Date: 5/19/2010

Complaint Description: 08A Rate Case Items - Opposed
N/A Not Applicable

Complaint By: **First:** J. Stephen **Last:** Gehring

Account Name: J. Stephen Gehring

Street: n/a

City: Payson

State: AZ **Zip:** 00000

Home:

Work: (000) 000-0000

CBR:

is: E-Mail

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2010 MAY 19 3:52
AZ CORP COMMISSION
DOCKET CONTROL

Utility Company: Payson Water Co., Inc.

Division: Mesa Del Caballo

Contact Name:

Contact Phone:

Nature of Complaint:

Last year Payson Water Company and its employees grossly abused the current Curtailment Plan and Tariff to harass and injure customers and extort large sums of money from them under the guise of Tariff and re-connection fees/fines without cause justification or proof of any violation of the terms and conditions of the curtailment plan.

They harassed customers on a daily bases for months and by telephone. They refused to haul water until the last minute causing the system to crash and manipulated the posting of stages 3-5 to issue alleged violations under Stage 5 for higher fees. They were not in compliance with the Plan and violated ACC Rules and Regulations. They will do the same again this year whether it is on the old or a new plan The plan should be changed in only one way: DO AWAY COMPLETELY WITH ALL FEE/FINES. Do not legalize their extortion of excessive fees/fines from the Customer.

Stop the Company from combining billings of usage and unpaid fees/fines and charging illegal interest on the fees/fines as they have been doing to further gouge the customer.

My informal complaint filed on August 4, 2009 and subsequent complaints and the Mediation held on 3/1 6/10 said it all, and my Formal Complaint soon to be filed will be in greater detail.

Payson Water Company already charges a higher rate for water used over a specified amount and was initially designed to offset cost of hauling water (as noted in our monthly billings). It has never gone away after all these years. An increase in rate to cover the additional costs of hauling water to supplement the system if any, must be reasonable and not designed to make additional profits for the company and should only be employed during the specific time of hauling and then cut off completely. Most of the people suffer from the economic depression the country is currently experiencing and are unemployed or working for substandard wages or on limited income. The fees/fines suggested under the Curtailment Plan modifications are not in touch with reality, extremely excessive abusive and will only give employees greater motivation to harass and cut off the customer for those extortionate fees and bounty unearned for the company. It would lend to greater abuse of the Plan and additional financial injury to the Customers which may cause for some customers not to seek legal remedies but

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violent remedies due to their frustrations with the company.

PWC has known of the problems with the system for more than 5 years and has done nothing to remedy the situation until recently because of the bad publicity and reputation of the company and the fact they did not want to spend the money. Water tables have dropped and permits can be issued by the state to deepen the wells or drill new ones to levels where the water is. I worked for a local water well drilling company and I know that the misinformation being presented to the people of Mesa del Caballo and the Commission is an out right lie. There is water, caverns full of it below MDC and they know it They simply do not want to make the investment to get it.

PWC should have gotten in line with the Blue Ridge Water Project sooner and worked out details for water from Payson years ago. They refused to.

The water committee does not represent the whole public opinion or the People of the community of Mesa del Caballo. They have no power of attorney to represent anyone and they are not publicly elected officials. They merely represent themselves and the few members of a private club which in the past arbitrarily denies membership to many people in the community. Should any of their misrepresentation that they represent the whole community be given due consideration by the commission and I as a customer am injured in any way by those misrepresentations I will exercise the legal recourse available to me to hold them and the company responsible for those misrepresentations.

The present and proposed fee structure under the Curtailment plan must be abolished altogether as it has been and will be abused again and again by the company to acquire unearned profits by fraudulent means as they have already done. PWC must be held responsible and accountable to their certificate of necessity and denied any additional fees under the curtailment plan and be forced to get off the customers back to serve the customer rather than exploit the customer and injure them.

Reasonable proposals for conservation in the proposed modification I have no problem with as long as they can supply the demand. I conserved water last year and they abused the plan and their limited authority to cause me extreme injury. Another issue must be addressed and that is the fact that their meters register air as water usage. This is a fact that cannot be denied and that they have played down by gross misrepresentation of material facts. Being at the dead end of a water line that is not vented causes misreading on the meter when air from the pressure tanks dumps into the system and is further compressed when the system comes back up and goes through our meters.

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

5/19/10 opinion noted and filed in Docket No. W-03514A-10-0116 & W-03514A-10-0117. closed

End of Comments

Date Completed: 5/19/2010

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